

Notice of Allowability

Application No.

09/358,546

Examiner

Charles Chow

Applicant(s)

OZAKI ET AL.

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/26/04.
2. ☒ The allowed claim(s) is/are 1,2 and 5-11,13, 15-19.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Detailed Action

1. In applicant's amendment file 8/26/2004, claim 26 has been cancelled, and all other remaining claims were allowed in the previous office action.

Allowable Subject Matter

2. Claims 1-2, 5-11,13, 15-19 are allowable over the prior art of record.

The following is the examiner's statement for the reasons of allowance:

Claims 1-2, 5-11,13,15-19, 26 are allowable over the prior art of record because the cited references fails to disclose singly, particularly, or in combination, the subject matter, having a priority date of 12/18/1998, for a portable communication device for communicating with a remote communication terminal, being configured and arranged to be used in a digital money system, having the remote communication terminal to remotely communicate via the wireless link to the base station. The system also comprises a short distance infrared communication interface for linking wireless communication with a communication terminal located at a point of transaction involving digital money, a inputting unit for inputting data or instruction to portable communication device, a memory, a display, an enciphering and deciphering circuit, a controlling unit, where the enciphering and deciphering is changed by changing the installed in said enciphering/deciphering processor (claims 1, 5, 13), the input means, specific key, for inputting user state of feeling regarding user's state of feeling, to service center by remote communication means and service center sends the stored message to user regarding the user's state of feeling (claim 13). The dependent claims are also allowable due to their dependency upon the independent claims.

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The closest patent to Takayama-'133 B1 teaches the similar system (Fig 1) for a digital service providing system 102, a settlement system 103, a payment means 100, a payment charging means 101 (abstract; col. 4, lines 15-33; col. 43, line 59 to col. 44, line 31), a credit card payment settlement which is different from present invention using digital money.

Takayama fails to teach the changing enciphering/deciphering method which is changed by changing software installed in said enciphering/deciphering processor and the inputting of user's present state of feeling.

Other prior arts in below has been considered, but they do not teach the above claimed features.

Nohda'-875 B 1 teaches a technique to update the program for ciphering and decrypting.

Watts-'749 A2 teaches the voice inputting device and key pad for inputting money data information for the payment.

Loder-'720 teaches a Subscriber Identification Module SIM for storing the amount paid before, prepaid, in the SIM, and the controlling of the payment record decrease according to the tariff rate before reaching to the minimum money value in the SIM. Vatanen-'890 B1 teaches a payment terminal utilizes the GSM-network to produce customer a receipt and to record transactions in cash register by utilizing software booking. Barabash et al.-'378 teaches the maintaining a user balance, and the periodically sending/ displaying of the balance on a mobile unit. Any comments considered necessary by applicant must be submitter no later than the payment of the issue fee, and to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "comments on statement of reasons for allowance".

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Chow whose telephone number is (703)-306-5615.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703)-305-4385.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

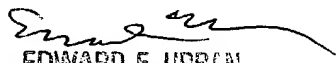
or faxed to: (703) 872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to 220 20th Street, Crystal Plaza two, Lobby, Room 1B03, Arlington, VA 22202 (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Charles Chow *CC*

October 2, 2004.


EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600